

Assembly Bill No. 2198

CHAPTER 401

An act to amend Sections 972.1 and 974 of the Military and Veterans Code, relating to veterans.

[Approved by Governor September 20, 2012. Filed with
Secretary of State September 20, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2198, Nielsen. Department of Veterans Affairs: reporting requirements.

Existing law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that comply with certain conditions. Existing law requires the Department of Veterans Affairs to annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans service officers, and requires the department to prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature on or before January 1 of each year.

This bill would extend the January 1 date specified above to October 1.

Existing law requires the Department of Veterans Affairs to annually prepare a report of the activities of county veterans service officers, as specified, and may require each county veterans service officer to submit information required to prepare the report.

This bill would revise the reporting requirements of the Department of Veterans Affairs to include the number of veterans and their family members who have contacted or utilized the services of the county veterans service offices during the fiscal year, the number of claims filed to achieve benefits on behalf of veterans and their dependents, the annualized monetary value of benefits received, and a summary of services provided and special events and activities in which county veterans service offices participated, as specified.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) It is the intent of the Legislature to increase awareness and accessibility to benefits that our state veterans have earned through service to our nation.

(b) It is the intent of the Legislature to increase the amount of federal benefits that California's veterans receive.

(c) It is the intent of the Legislature to be provided as complete a picture as possible of the many ways that county veterans service offices provide services to California's veterans.

(d) Therefore, it is necessary for county veterans service offices to provide data in addition to that now being provided to the Department of Veterans Affairs.

SEC. 2. Section 972.1 of the Military and Veterans Code, as amended by Section 2 of Chapter 183 of the Statutes of 2009, is amended to read:

972.1. (a) The sum of five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the Department of Veterans Affairs for allocation, during the 1989–90 fiscal year, for purposes of funding the activities of county veterans service officers pursuant to this section. Funds for allocation in future years shall be as provided in the annual Budget Act.

(b) Funds shall be disbursed each fiscal year on a pro rata basis to counties that have established and maintain a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer under a formula based upon performance that shall be developed by the Department of Veterans Affairs for these purposes, and that shall allocate county funds in any fiscal year for county veterans service officers in an amount not less than the amount allocated in the 1988–89 fiscal year.

(c) The department shall annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans service officers. The department shall, on or before October 1 of each year, prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature. The Department of Finance shall review the department's determination in time to use the information in the annual Budget Act for the budget of the department for the next fiscal year.

(d) (1) The Legislature finds and declares that 50 percent of the amount annually budgeted for county veterans service officers is approximately eleven million dollars (\$11,000,000). The Legislature further finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for county veterans service officers in an amount not to exceed eleven million dollars (\$11,000,000) if it is justified by the monetary benefits to the state's veterans attributable to the effort of these officers.

(2) It is the intent of the Legislature, after reviewing the department's determination in subdivision (c), to consider an increase in the annual budget for county veterans service officers in an amount not to exceed five million dollars (\$5,000,000), if the monetary benefits to the state's veterans attributable to the assistance of county veteran service officers justify that increase in the budget.

(e) This section shall become operative January 1, 2016.

SEC. 3. Section 972.1 of the Military and Veterans Code, as amended by Section 28 of Chapter 32 of the Statutes of 2012, is amended to read:

972.1. (a) The sum of five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the Department of Veterans Affairs for allocation, during the 1989–90 fiscal year, for purposes of funding the activities of county veterans service officers pursuant to this section. Funds for allocation in future years shall be as provided in the annual Budget Act.

(b) Funds shall be disbursed each fiscal year on a pro rata basis to counties that have established and maintain a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer under a formula based upon performance that shall be developed by the Department of Veterans Affairs for these purposes.

(1) For the purposes of this section, “workload unit” means a specific claim activity that is used to allocate subvention funds to counties, which is approved by the department, and performed by county veterans service officers.

(2) For the purposes of this subdivision, the department, by June 30, 2013, shall develop a performance-based formula that will incentivize county veterans service officers to perform workload units that help veterans access federal compensation and pension benefits and other benefits, in order to maximize the amount of federal money received by California veterans.

(c) The department shall annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans service officers. The department shall, on or before October 1 of each year, prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature. The Department of Finance shall review the department’s determination in time to use the information in the annual Budget Act for the budget of the department for the next fiscal year.

(d) The department shall conduct a review of the high-performing and low-performing county veterans service officers and based on this review, shall produce a best-practices manual for county veterans service officers by June 30, 2013.

(e) (1) The Legislature finds and declares that 50 percent of the amount annually budgeted for county veterans service officers is approximately eleven million dollars (\$11,000,000). The Legislature further finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for county veterans service officers in an amount not to exceed eleven million dollars (\$11,000,000) if it is justified by the monetary benefits to the state’s veterans attributable to the effort of these officers.

(2) It is the intent of the Legislature, after reviewing the department’s determination in subdivision (c), to consider an increase in the annual budget for county veterans service officers in an amount not to exceed five million dollars (\$5,000,000), if the monetary benefits to the state’s veterans attributable to the assistance of county veterans service officers justify that increase in the budget.

(f) This section shall remain in effect only until January 1, 2016, and as of that date is repealed.

SEC. 4. Section 974 of the Military and Veterans Code is amended to read:

974. (a) The Department of Veterans Affairs shall annually prepare a report of the activities of county veterans service officers, and may require each county veterans service officer to submit information required to prepare the report. The report shall include the following:

(1) The number of veterans and their family members who have contacted or utilized the services of the county veterans service offices during the fiscal year.

(2) The number of claims filed to achieve benefits such as pension, disability compensation, and health care on behalf of veterans and their dependents.

(3) The annualized monetary value of benefits received by veterans and their dependents as a result of the efforts of county veterans service offices, broken down by type of benefit.

(4) A summary of other services provided by county veterans service offices and special events and activities in which county veterans service offices participated, such as veterans outreach events, homeless veteran “Stand Downs,” and job fairs for veterans.

(b) The information required to be included in paragraphs (1) to (3), inclusive, of subdivision (a) shall be set forth for each county together with a statewide total.

(c) The department shall transmit a copy of the report to the Department of Finance, the State Department of Health Care Services, the California Veterans Board, and to each Member of the Legislature.